

## **PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD**

**MONDAY, July 29, 2002**

**3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II**

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Borys, Clement, Raser, Senhauser, Spraul-Schmidt, and Wallace present. Absent: Bloomfield, Kreider, Sullebarger.

### **MINUTES**

The minutes of the Monday, June 24, 2002 meeting were approved (motion by Borys, second by Raser).

### **CERTIFICATE OF APPROPRIATENESS, 1525 ELM STREET, OVER-THE-RHINE (SOUTH) HISTORIC DISTRICT**

Staff member Adrienne Cowden presented the staff report on this request for a Certificate of Appropriateness to install an exterior ADA ramp and renovate the exterior plazas at the Elm Street Health Center located at 1525 Elm Street. The building is a contributing resource in the Over-the-Rhine (South) Historic District and the Over-the-Rhine National Register Historic District.

The Historic Conservation Board heard the application for the ADA ramp and renovation of the exterior plazas on June 10, 2002. At that time, the Board requested that the applicant City of Cincinnati consider alternative designs for the ramp that would be more sympathetic to the building, site, and existing features. Ms. Cowden distributed a contextual drawing of the south and west elevations and a revision to east plaza. Ms. Cowden stated that while staff believes that the clinic's needs could be met with an interior vertical lift, the revised plans meet the historic conservation guidelines and address the Board's concerns. In the proposed design, the ramp has been reoriented so it starts adjacent to the existing pedestrian entrance and utilizes an existing window opening for the entrance. The design elements reflect the detailing and material construction of the building.

Ms. Cowden stated that the applicant proposes to replace the brick and concrete of the east and west plazas with impressed concrete. While the district guidelines do not specifically address plazas, they do address appropriate paving materials under new construction. Ms. Cowden described the proposed impressed concrete as appropriate. Ms. Cowden added that the proposed landscaping elements meet the spirit of the guidelines. In response to Ms. Wallace, Ms. Cowden explained the design of the east plaza now includes Cleveland Pear trees in above ground pots, rather than planters.

Applicant/Architect Dan Montgomery and Steven Toon from the Elm Street Clinic were present to answer questions from the Board.

### **BOARD ACTION**

1. The Board voted unanimously (motion by Clement, second by Spraul-Schmidt) to approve a Certificate of Appropriateness for the exterior ADA ramp and the impressed concrete plazas as revised.

**CERTIFICATE OF APPROPRIATENESS, 1408-1420 MAIN STREET, OVER-  
THE-RHINE (SOUTH) HISTORIC DISTRICT**

Staff member Adrienne Cowden presented the staff report for a Certificate of Appropriateness for the installation of replacement windows on the second, third and fourth floors of the rear (east) elevation of the building located at 1408-1420 Main Street. The proposal includes replacing a total of 63 windows with one-over-one vinyl windows. The building, which is located on the corner of Main and Orchard Streets, is a contributing building to the Over-the-Rhine (South) Historic District and the Over-the-Rhine National Register Historic District.

Ms. Cowden noted that a field inspection revealed that the sash on this elevation is primarily six-over-six double-hung wood sash, although other configurations are present. The sash is in overall poor condition and does not adequately protect the building from the elements.

The owner/applicant Christopher Frutkin was the only person in attendance at the pre-hearing meeting, although Michael Cephas of 219 Orchard and Michael Uhlenhake of 211 Orchard have voiced their support of the replacement windows.

Ms. Cowden explained that Mr. Frutkin has provided cost estimates that show the cost for the installation of six-over-six true divided light wood sash is more than double the cost for the installation of one-over-one vinyl windows. He was unable to locate a vinyl window with an external grid at a competitive price. Mr. Frutkin has stated that his funds are limited and he would be unable to recapture the cost for the six-over-six wood windows.

Ms. Cowden stated that the guidelines indicate that vinyl windows are not appropriate due to their bulk and lack of detail; however, recognizing improvements in vinyl replacement windows, the Board has approved them if the visual effect is comparable to the existing windows. In addition, the Board has approved one-over-one replacements for multi-light windows on rear or secondary elevations. Ms. Cowden pointed out that the rear elevation is only visible from Orchard Street and the alleys behind the building.

In response to Mr. Raser, Ms. Cowden explained that the cost estimates reflected in the staff report include the cost for installation.

Owner/applicant Christopher Frutkin was present to respond to questions from the Board and provide a sample of the proposed replacement window. Mr. Frutkin replied to Mr. Senhauser that the original wood frame and sill would remain after installation and that those elements would be scraped and painted. He stated that the proposed glass, SolarBan 60, is the same as in the sample provided. Mr. Senhauser pointed out that the glass was reflective and that it is a low E with a light blue or gray coating. Mr. Frutkin commented that he did not think the window was available without the coating. Ms. Cowden added that the manufacturer offers a window with a six-over-six sandwich grid, but it is very flat looking. An external snap-in grid was not available and those from other manufacturers were not competitively priced.

In response to the Board's questions, Mr. Frutkin said that he is proposing a beige color window and would paint the remaining wood to match. Ms. Cowden explained that the cost estimates in the staff report included a 10% charge for a dark brown color, which is no longer being proposed. Ms. Borys questioned the

condition of the windows on the street sides of the building, to which Mr. Frutkin responded that the windows were all two-over-two and had been replaced a few years ago with the City's Façade Program; these would remain.

### **BOARD ACTION**

The Board voted unanimously (motion by Spraul-Schmidt, second by Clement) to approve a Certificate of Appropriateness for the installation of new vinyl windows on the upper floors of the rear (east) elevation of 1408-1420 Main Street based on the sample window presented by the applicant, finding that:

1. The existing wood window sash is too deteriorated to repair;
2. The east elevation of the building is a secondary elevation that is not highly visible from the public right-of-way; and
3. The cost of new wood six-over-six sash is double the cost of the proposed vinyl windows. Strict application to the guidelines would:
  - (i) Deny the owner a reasonable rate of return on the real property; and
  - (ii) Amount to a taking of the property of the owner without just compensation.

### **CERTIFICATE OF APPROPRIATENESS, 1859 MADISON ROAD, EAST WALNUT HILLS HISTORIC DISTRICT**

Staff member Cheri Rekow presented the staff report for a Certificate of Appropriateness to construct a 10' x 10' paved area with landscaping in the front yard of the residence at 1859 Madison Road. The house is a contributing resource to the Walnut Hills Historic District.

Ms. Rekow explained that a pre-hearing was held on April 2, 2002 on an earlier plan for a 17' x 25' paved surface that would have required a zoning variance for front yard parking. Neighboring residents attended and expressed opposition to the proposal. In addition, staff received letters from two property owners and phone calls from two other notified residents expressing their opposition. The proposal was presented to the East Walnut Hills Assembly, who submitted a letter of support.

The proposed paved surface has since been reduced to 10' x 10' with the intent of providing a turn around and does not require a zoning variance. A second pre-hearing was held on July 23, 2002. Ms. Rekow pointed out that the letters in opposition to the original plan still stand with regards to the new proposal.

Ms. Rekow described the rear yard area as having a garage and a drive/turn area behind a gated fence. The applicants have suggested that use of this area would allow children and dogs to escape beyond the open gate.

Applicant/owner Jeff Robinson was in attendance and explained to the Board that he has four children seven years of age and younger. He is looking for a way to turn his cars around in order to gain safe entrance onto Madison Road. He described the rear parking as being a split slab, with part of it going to the garage and the other part being raised where a garage formerly set. He pointed out because of the elevation issue, a car cannot turn around in this area without going into the grass. Mr. Robinson conceded that his original proposal was possibly ambitious and that when he cut out the area, he then became aware of a permit being required and the opposition of his neighbors. He acknowledged that his neighbors might still feel he

was masking the patio to be a parking lot since he had parked in the area previously. Mr. Robinson questioned whether his request for a Certificate of Appropriateness for the front yard paving was an unusual request of the Board. Mr. Senhauser responded that to the best of his knowledge, he did not recall any similar request. He recollected that there was a case that was heard where they considered a semi-circular paving across a front yard, but it was for a deeper set house and on a private lane. Parking pads have also been discussed for side yards, related to a garage on an apron. When questioned, Mr. Robinson stated they currently pull up to the gate at the side yard, a distance of approximately 50 – 60 feet from the street.

The Board discussed the size of the proposed lot and determined 10' x 10' is an insufficient size pad to allow for turning around a car. In addition, Ms. Borys commented that the applicant has not presented the Board an adequate picture of the entire lot, including the rear conditions. Ms. Rekow pointed out a site map included in the staff report showing the rear apron. Ms. Borys acknowledged seeing the map, but suggested the rear area could offer a solution. The Board also concluded that simply widening the lane would not solve the applicants' problem. Additionally, Ms. Borys questioned why the planting bed is proposed for the house side of the paved area, when having it on the street side, possibly around the base of the tree, would mitigate the impact of the paving.

Mr. Robinson stated he would be open to suggestions. There was additional discussion regarding the paving material and design, which considered having the paved area continue to the front steps and landscaping the area to shield it from the street.

### **BOARD ACTION**

The Board voted unanimously (motion by Borys, second by Raser) to table the item to allow the applicant to better document the existing conditions.

### **CERTIFICATE OF APPROPRIATENESS, 11-29 GARFIELD PLACE, INDIVIDUAL LOCALLY DESIGNATED BUILDING**

Staff member Caroline Kellam presented the staff report for this Certificate of Appropriateness for the installation of two projecting canopies and an ATM machine on the Doctor's Building, an individually-designated historic building, constructed in 1923.

While noting that nothing currently projects from the building with the exception of an original cantilevered metal canopy centrally located at the main entrance, Ms. Kellam described the two alternate canopy schemes being proposed for 13-15 Garfield Place (the property management office) and 27 Garfield Place (for the Foundation Savings Bank). Scheme A proposes a canopy 12'-9" from the building, mounted on four poles with a small attachment to the building. Scheme B involves the installation of two cantilevered canopies, projecting 5'-9" from pole legs attached to the storefronts. Ms. Kellam explained that the applicant would be responsible for obtaining the necessary revocable street privilege for the overhanging canopies.

The ATM is proposed to be installed in a recessed doorway at 29 Garfield Place and framed in wood to match the door trim. The signage would either reflect the institution logo, or network affiliations.

Ms. Kellam noted that a pre-hearing was held, in which no one attended.

Mark Gunther, applicant and architect representing the tenant, Foundations Savings Bank, was present to respond to questions by the Board. There was a question as to the symmetry of the proposed canopy locations. Mr. Gunther explained that the awnings are not absolutely symmetrical on the building - 11 Garfield Place is a vacant storefront and the office layout of the bank itself is not conducive to installing a canopy at #25. Mr. Gunther confirmed that under Scheme B, the canopy poles would be attached to the structural members, not the face of the storefront and that no attachment to the terra cotta facade would be required.

### **BOARD ACTION**

The Board voted unanimously (motion by Borys, second by Raser) to take the following actions:

1. Approve a Certificate of Appropriateness for "Scheme B" for the installation of the canopies on 27 and 13-15 Garfield Place with the condition that the canopies project no more than 5'-9" from the façade and a sensitive installation be used to minimize the damage to the building.
2. Approve a COA for the installation of an ATM on the recessed storefront entrance at 29 Garfield Place.
3. Final plans, including a copy for any signs, be reviewed and approved by the Urban Conservator prior to issuing any Certificate of Appropriateness or building permits.

### **CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCE, 1447 WALNUT STREET, OVER-THE-RHINE (SOUTH) HISTORIC DISTRICT**

Staff member Cheri Rekow presented the staff report for this request for a Certificate of Appropriateness and Zoning Variance to construct rear access stairs and a roof deck, extend side porches and replace windows at 1447 Walnut Street. Ms. Rekow summarized the Historic Conservation Board's previous actions in regards to the subject property, including demolition of the rear portion of the building at 1445, reconfiguration of property lines thereby creating substandard lots, and the creation of a parking lot having access from Liberty Street.

Ms. Rekow explained that the building at 1447 (The Lords Gym) comes to the rear property line, so the proposed staircase encroaches upon the required 28-foot rear yard setback requirement and therefore, a variance is required.

Ms. Rekow described the proposal as being consistent with the Over-the-Rhine (South) Historic District Guidelines, with the exception of an aluminum awning proposed for the porch. The construction of the rear staircase provides access to the second and third floors and is to have paneled railings on the porches to match the existing; the stairway will have an open baluster. The vinyl two-over-two replacement windows match the appearance of the original and are on minor rear and side upper elevations. The roof deck is not visible from the front of the building and is intended to preserve the roofline.

Mr. Senhauser suggested to the applicant Shaun Pfeil, who was present, to consider extending the porch roof over the enlarged deck in lieu of installing an aluminum awning. He also questioned whether staff had suggested the use of iron railings, since ironwork is prevalent in the district. Ms. Rekow responded that since the proposed rail design matched the existing railings, staff thought it was acceptable.

In reply to Mr. Raser, Mr. Pfeil confirmed that the stair rails would be pressure treated, 2 x 2 balusters, to be painted. Mr. Raser pointed out the visibility from Liberty Street and suggested continuing the paneled rail on the stairs adding that it would also be less expensive. The Board concluded the final design plan should consider the high visibility of the new work and be integrated into the design of the new courtyard and parking at the rear of the site.

### **BOARD ACTION**

The Board voted unanimously (motion by Borys, second by Spraul-Schmidt) to take the following actions:

1. Approve a Certificate of Appropriateness for the rehab of 1447 Walnut Street including the rear staircase, side porches, replacement windows and roof deck provided the aluminum awning is removed, and subject to review of the final plans by the Urban Conservator.
2. Approve a Zoning Code Variance to allow the construction of a rear exterior staircase on the rear property line, finding that it:
  - (a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district; and
  - (b) Will not be materially detrimental to the public health, safety, and welfare or injurious to the property in the district or vicinity where the property is located.

### **REESTABLISHMENT OF A NONCONFORMING USE, 522 EAST 12<sup>TH</sup> STREET, OVER-THE-RHINE (SOUTH) HISTORIC DISTRICT**

Chairman John Senhauser confirmed that the Board members had read the staff report for this item and asked for a motion.

### **BOARD ACTION**

The Board voted unanimously (motion by Clement, second by Raser) to take the following actions:

1. Permit the reestablishment of this nonconforming use at 522 East 12<sup>th</sup> Street.
2. Find that such relief from the literal implication of the Zoning Code:
  - (a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district; and
  - (c) Will not be materially detrimental to the public health, safety, and welfare or injurious to the property in the district or vicinity where the property is located.

### **CERTIFICATE OF APPROPRIATENESS, 2321 UPLAND PLACE, UPLANDS HISTORIC DISTRICT**

Urban Conservator William Forwood introduced this By-leave Item stating that the Board approved the removal of non-historic additions on this residence at 2321 Upland Place on June 10, 2002. The applicant has since removed the additions and is now requesting approval to remove the front porch due to structural deficiencies. Mr. Forwood elaborated on the condition of the porch stating the reinforcing rods

are failing and the entry stair concrete is deteriorating with the building material barely in place. He indicated that the Free-Classical porch dates from the early twentieth century and is not original to the house.

Mr. Forwood advised the Board that this By-leave Item was not advertised publicly for this meeting, but the Solicitor's Office advises it may be heard as a continuation of the Board's consideration on June 10, 2002. Mr. Forwood indicated that he had been able to contact by phone two adjacent property owners, Chuck Strain and Mike Williams; each considered the front porch incompatible with the original house and supported its removal. Subsequently, Mr. Strain, acting president of the Uplands Historic District Civic Association and owner of 2330 Upland Place, emailed staff in support of the demolition.

Mr. Forwood pointed out that the applicant does not yet have plans for a replacement porch, so the Board would only be approving a Certificate of Appropriateness for the demolition of the porch. The new porch plans would be brought before the Board at a later date.

The applicant Phillip Cameron was in attendance and presented photographs for the Board's review. There was consensus that the existing porch is not original to the house and that the original porch may have wrapped around the front portion of the residence. Mr. Raser questioned what the applicant was considering for his design of the new porch. Mr. Cameron responded that he had not been able to locate a photograph of the house as originally constructed, but had in mind a porch of similar size, possibly with square columns more compatible to the remainder of the house. He said he also planned to restore the original entry door and sidelights which were removed when the present porch was installed.

#### **BOARD ACTION**

The Board voted unanimously (motion by Spraul-Schmidt, second by Raser) to take the following actions:

1. Grant the applicant a modification of the Certificate of Appropriateness of June 24, 2002 for removal of an existing non-original second story front porch; and
2. Approve the removal of the Free-Classical front porch based on its deteriorated state with the condition that the design of an appropriate front porch be submitted to the Board within six months for reconsideration at a new hearing.

#### **ADJOURNMENT**

As there were no other items for consideration by the Board, the meeting adjourned.

---

William L. Forwood  
Urban Conservator

---

John C. Senhauser  
Chairman

---

Date